

ENVIRONMENTAL ADVISORY COUNCIL
Lansing, Michigan
Thursday, April 15, 2010, 1:00 – 4:00 p.m.

Members in attendance: Jon Allan, Sandra Batie, Jeremy Emmi, Jodee Fishman Raines, Brad Garmon, Chuck Hersey, Becky Humphries, Brian Kandler, Mindy Koch, Erin McDonough, Larry Merritt, Pat Norris, Del Rector, Rick Rediske, David Rinard, Doug Roberts, Lee Schwartz, Mike Shriberg, and Paul Zugger.

Department of Natural Resources and Environment (DNRE) staff in attendance: Frank Ruswick, Julie Sims, Lynelle Marolf, Vickie Anthes, Sharon Hansue, Bill Creal, Lynn Boyd, Liane Shekter Smith, JoAnn Merrick, Liz Browne, Kelley Smith, Bob Wagner, Mark Hoffman, Byron Lane, Jim Sygo, Sharon Shaefer, Lynn Fielder, and Vince Hellwig.

Welcome and Introduction of New Members

EAC members and DNRE staff introduced themselves. Frank Ruswick introduced five new members: Jeremy Emmi, Jodee Fishman Raines, Brian Kandler, Erin McDonough, and Pat Norris.

Frank indicated that December's EAC meeting will need to be rescheduled. Optional dates will be sent to members for input. Frank also reminded everyone that the June and October dates are scheduled to be at the Ram Center. We may schedule longer meetings for those dates.

Current Issues and Department Transition

Director Humphries thanked everyone for coming and looks forward to her role with the EAC. She shared the following position announcements:

Rodney Stokes, Chief, Science and Policy Office
Gary Owen, Legislative Liaison
Jim Kasprzak, Chief, Administration Division
Mary Detloff, Chief, Media and Communications Office
Mark Hoffman, Chief, Marketing, Education and Technology Division
Bill Creal, Chief, Water Resource Division
Gary Hagler, Chief, Enforcement Division
Liane Shekter Smith, Chief, Groundwater Division
Lynelle Marolf, Chief, Remediation Division

Director Humphries indicated other positions would be filled soon, including the regional directors and assistant division chiefs. A member asked if each division would have an assistant chief. Director Humphries clarified that some may have one or two, while others will not have any. It will vary with the size of the division, the nature of the programs administered, and the organizational preference of the division chief.

Director Humphries shared that in approximately one month advertising will begin for the Citizen Advisory Councils (CAC). There are plans to have more than one CAC in some regions.

Director Humphries said that the department is identifying programs for process re-engineering and will begin soon.

Director Humphries described the recent meeting of the House Appropriations DNRE Subcommittee. Legislators expressed interest in environmental permitting; forest campgrounds, including the twelve that will remain closed; timber marketing; and the federal permit requirement to remove Double-crested Cormorant. The trouble spots in the budget are the Refined Petroleum Fund and its sunset at the end of this fiscal year; the failure to pass air fees, which could result in sanctions by the U.S. EPA; the clean-up program funding that will end at the end of 2011; wetland program funding only through 2011; and forest fire funding is low allowing only 72 staff instead of more than a 100 that is needed. Director Humphries explained that large fires become the department's priority resulting in staff being deployed from other activities. A member asked what the primary causes of fires were. Lynn Boyd stated that humans are the primary cause and explained that although the department can seek payment for firefighting costs and restitution for loss of resources, these are rarely successful in recouping all losses. Director Humphries compared fire fighting techniques in Michigan and other states.

A member pointed out that the federal government often imposes monitoring requirements without providing adequate funding.

Director Humphries shared that after the EAC meeting she will be traveling to Washington D.C. to a White House conference on encouraging people to enjoy the great outdoors. The intent is to kick off conversations around the country. She added that the administration has done a good job reaching out to the states.

Director Humphries distributed information about the recreational passport. She explained the \$10 fee will be offered through your license renewal. A daily pass to enter the park will no longer be available to Michigan residents.

Program Integration Example

Frank introduced Byron Lane, Chief, Dam Safety Program, who will be discussing dam integration issues.

Byron highlighted some articles about the Pigeon River agreement reached to remove the private dam and the importance of the dam removal. Byron shared that Michigan has over 2500 dams and the average design life of a dam is 50 years. A member asked how many of the 2500 are private. Byron indicated most dams are privately owned (over 60%) and the DNRE owns just over 20%.

Byron further stated that the American Society of Civil Engineers of Michigan gave Michigan an overall D grade for dams. Unfortunately, dam repair is often expensive and financial assistance is rarely available for dam repair. However, there is growing interest and funding for river restoration projects and dam removal or repair may be considered a part of those projects.

Byron explained that the effects of dams could include increased water temperature; impact on fisheries; water quality issues; increased algae; impact on the health of a stream; and public safety issues.

Byron shared that forty one dams have been removed throughout Michigan. The DNRE does not have the authority to force dam removal except when safety issues arise and then it is the owner's choice to repair or remove the dam. Byron showed various before and after pictures of dams.

Byron explained that dam removal is emotional for parties on both sides. He provided examples of the Grand Traverse, Corunna, and Ann Arbor dams. Byron further explained how there are four common questions that arise at every meeting on dam removal: Will the removal create mud flats? What will happen to property values? What about the water? How much will it cost? In most cases parties living on impoundments want to see the dam repaired rather than removed.

Byron identified the various laws involved that could impact a dam removal project including solid waste, remediation, inland lakes and streams, and others. He also described the various programs and agencies involved, including Dam Safety, Fisheries, Floodplains, Remediation, Waste and Hazardous Materials Division, Water Bureau, and the Department of Transportation.

Byron indicated a 'linked-in' profile has been established for Michigan dam owners, consultants, and the DNRE. There are approximately 150 members now. This DNRE uses this tool to share information and send out reminders to dam owners about upcoming annual inspections.

Byron explained how the DNRE has moved to a dam removal application shepherding concept. The dam safety program staff processes dam removal permit applications and coordinates permit processing with other involved divisions. The permitting process involves multiple considerations and coordinating among affected division improves the decision-making process. The DNRE is considering creating a formal interdivisional committee on dam removal. A member asked if this process has been put in writing. Byron stated that now may be a good time to do that.

A member asked about property values involved with dam removal. Byron indicated that studies have shown that typically there is no real change in value.

Sharon Hanshue of Fisheries Division explained that the former Department of Natural Resources inventoried DNR dams several years ago to determine which should be considered for removal or repair. The Fisheries Division policy is that dams that fail should be considered for removal instead of repair.

A member expressed the relationship between agreeing on the outcomes associated with stream ecology and how this relates to questions surrounding dam repair and removal.

Examples of DNRE Monitoring and Use of Outcomes

Water Bureau

Bill Creal, chief of the Water Resource Division, described the Water Bureau's monitoring strategy that was created in 1997 and updated in 2005. This strategy identifies a comprehensive list of monitoring activities with cost estimates.

Bill presented a slide show history on funding and provided information on monitoring goals, including trend monitoring. He described how the Bureau has been developing outcomes and goals based on this monitoring and program needs.

Bill explained that sites for monitoring water quality related trends were established throughout Michigan in the mid 1980s. He provided an example of bald eagle nesting.

Bill shared an example related to the Bureau's goal of ensuring safe drinking water. The outcome is that by 2015, 100 percent of the population served by community water systems will receive safe drinking that meets all applicable health-based drinking water standards through effective treatment and source water protection.

Bill described how monitoring of program results can be used to evaluate a program's effectiveness. He characterized the Bureau's efforts toward reaching the safe drinking water goal as excellent, with results near the 100 percent goal. Program efforts are still evaluated to identify where things can be improved.

Bill shared similar aspects of outcomes related to groundwater quality, beach monitoring, and mercury contamination in fish.

A member asked how often a goal or outcome is reviewed to assess the progress and what mechanism is in place so that it gets reviewed regularly. Bill stated that Water Bureau provides annual monitoring reports.

Fisheries Division

Kelley Smith, chief of the Fisheries Division, presented on the Division's monitoring program. He explained how information is collected on numerous parameters related to population dynamics and health of fisheries. The data supports different objectives related to ecological outcomes. Progress toward outcomes is viewed using trend analysis in relationship to stated goals.

Monitoring and outcome measures are captured through several methods, including the Triennial Report on the state of Michigan's Environment; the status and trends program; red flag indicators for health of salmon in lakes Michigan and Huron; and management goals in specific lake and river management plans.

Kelley further explained the red flag process and gave examples of monitoring for the Chinook Salmon bag limits and catch rates. The data collected establishes a process to make change objectively.

Discussion

A member asked how the Water Bureau had prepared its outcomes and how that relates to questions of budget and staffing. Bill indicated the Bureau had worked internally to develop outcomes. He recognizes that the next step is to involve stakeholders and he looks forward to the EAC's recommendations about how to involve stakeholders in developing outcomes. Ideally budget and staffing should be tied to outcomes, but current restrictions in the budget process (such as the constraints of permit fees and federal funding) make that difficult.

A member reminded everyone that the DNRE still has to focus on outputs. He explained that outputs such as permits, inspections, and monthly operating reports still need to be monitored and efficiently provided.

Lynelle Marolf, chief of the Remediation Division noted how different programs in the DNRE may not be aligned to support a given outcome. For example, while the Water Bureau has an outcome related to the suitability of groundwater for use as drinking water, the law governing cleanup of environmental contamination does not necessarily require cleanup of contaminated groundwater.

Closing

Frank thanked Byron, Bill, and Kelley for their presentations and indicated they will be posted on the DNRE Web site for reference.

Frank indicated that Stacy Welling, Upper Peninsula Regional Manager, will be presenting next month on Citizen Advisory Councils in the Upper Peninsula. Lynne Boyd, Chief of the Forest Management Division, will provide a presentation on Biodiversity Stewardship Areas.